

SMALL QUANTITY GENERATOR REQUIREMENTS

The rules under the Natural Resources and Environmental Protection Act 1994 PA 451, Chapter 3: Waste Management, Part 111 Hazardous Waste Management (NREPA 451) define a Small Quantity Generator (SQG) as a generator producing greater than 100 kg but less than 1,000 kg of hazardous waste in a calendar month or 1 kg of acutely toxic or severely toxic hazardous wastes. Small quantity generators of hazardous waste are required to do the following:

1. Determine whether their wastes are hazardous or non-hazardous by testing or knowledge of the waste. Any records obtained in this determination (i.e., analysis results) must be retained for three years from the time the waste was last generated.
2. Obtain a U.S. EPA Identification Number, by filing a Notification of Regulated Activities form (EQP5150) with the Michigan Department of Environmental Quality (MDEQ).
3. Accumulate hazardous waste on-site for no more than 180 days, or 270 days if the waste is shipped over 200 miles, to a Treatment, Storage, Disposal (TSD) or Recycling Facility. Total waste volume must not exceed 6,000 kg. If a waste is accumulated in containers or tanks in amounts greater than 1,000 kg but less than 6,000 kg, the accumulation area must comply with containment standards.
4. Offer his waste only to transporters and TSD facilities with a U.S. EPA ID number.
5. Comply with applicable U.S. Department of Transportation (U.S. DOT) requirements for shipping wastes off-site.
- *6. Use a multi-part, round trip, Uniform Hazardous Waste Manifest to accompany the waste to its final destination, and maintain copies of the manifests where they are readily available for review and inspection for a period of three years. Also, a form declaring the universal treatment standards must accompany any shipment of hazardous waste and be retained on-site for five years.
- *7. Follow standards for the accumulation of their hazardous waste in containers.
- *8. Follow the standards set for on-site accumulation of hazardous waste in tanks.
- *9. Follow the standards for wastes placed on a drip pad.
- *10. Date and label containers, i.e., drums, roll-off boxes, with the words "Hazardous Waste" and the hazardous waste number while being accumulated on-site.
11. Label tanks with the words "Hazardous Waste."
- *12. Follow the standards set for "Preparedness and Prevention," in case of fire, explosion, or a release of hazardous waste.

- *13. Follow the standards set for "Contingency Plan" in case of fire, explosion or release of a hazardous waste.
- *14. Follow the exception reporting requirements when a signed copy of the manifest indicating receipt of the waste by the TSD facility is not received within 60 days of transport.
- 15. Ensure that the area where the waste is accumulated is protected from weather, fire, physical damage, and vandals.
- 16. Ensure that the hazardous waste accumulation is conducted so hazardous waste or hazardous waste constituents cannot escape by gravity into the soil, directly or indirectly, into surface or groundwaters, or into drains or sewers and so that fugitive emissions are not in violation of the provisions of NREPA 451, Chapter 1, Part 55.

* These items are further explained in the following sections.

All numbered citations are in reference to the actual regulatory language found in 40 CFR, Code of Federal Regulations, and the rules in effect for NREPA 451, Part 111.

#6. Manifest Requirements R 299.9304; 40 CFR 262.20 Recordkeeping and Recording. R 299.9307(3), R 299.9304(3); 40 CFR 262.44, 262.40(a)

- a. Generators must keep a signed copy of each manifest received from the designated facility, which received the waste, for three years.
- b. Generators must submit one copy of the manifest used to the MDEQ by the 10th of the following month after the shipment is made to: MDEQ-WMD, PO Box 30038, Lansing, Michigan, 48909.
- c. In the event that a generator disposes of their hazardous wastes out of state, and that state requires use of their own manifest, then the generator must use that manifest. If the out-of-state TSDF does not submit a copy of the manifest with the third signature to the MDEQ, we ask that the generator submit a copy to the MDEQ to the address listed above.
- d. If the state receiving the waste does not have a manifest, then the generator must use a Michigan Uniform Hazardous Waste Manifest and comply with normal distribution procedures as specified on the back of the MDEQ manifest.

Land Ban Restrictions. 40 CFR Part 268

- a. As of August 8, 1988, small quantity generators were required to comply with land disposal restriction requirements for their waste. (Note: only hazardous wastes are subject to land disposal restrictions.) The following steps should be taken to ensure compliance with the restrictions:
 - 1. Determine what the treatment standard is for the particular waste. Does the waste meet the standard?
 - 2. If the waste does not meet the treatment standards, a notification must be sent to the treatment, storage or disposal facility. If the waste does meet the treatment standards, a notice and certification must be sent to the treatment, storage and disposal facility. (Note: A notification or certification must accompany all waste shipments, even if the destination is other than a landfill.)
 - 3. Retain all records associated with the land disposal restrictions, including notices and certifications, for five years from the time the waste was last sent for treatment, storage or disposal.

#7. Standards Set for Accumulation in Containers. R 299.9306(4)(b)(I); 40 CFR 262.34, Part 265 Subpart I

- a. Waste accumulation in containers in excess of 1,000 kg but less than 6,000 kg must have secondary containment such that the following conditions are met:
 - 1. Wastes containing free liquids OR F020, F021, F022, F023, F026 and F027 wastes.
 - <A base must be placed under the containers which is free of cracks and is impervious enough to contain spills, leaks or precipitation until it can be removed.
 - <The base must be sloped or the containers elevated to prevent the containers from coming into contact with any liquid.
 - <The area must contain 10% of the volume of the containers OR 100% of the volume of the largest container, whichever is greater.
 - <Run-on into the area must be prevented unless the area has sufficient excess capacity beyond that required in (iii) to contain the run-on.
 - <Spills, leaks and precipitation must be removed in a timely manner to prevent overflow.
 - 2. Wastes with NO free liquids.
 - <The containment area must be sloped and operated to drain liquid from precipitation.
 - <The containers must be elevated or protected from contact with accumulated liquid.
- b. Containers must be kept in good condition; any leaking containers must be replaced.
- c. Containers must be compatible with the wastes stored in them.
- d. Containers holding waste must always be closed during accumulation, except when adding or removing of waste.
- e. Containers must not be opened, handled, or stored in a manner which may rupture the container or cause it to leak.
- f. Containers must be inspected weekly for signs of corrosion or leaks.
- g. Incompatible materials must not be placed in the same containers so as to cause a fire, explosion or release.

#8. Standards Set for Accumulation in Tanks. R 299.9306(4)(b)(ii); 40 CFR 265.201

- a. Incompatible materials must not be placed in the same tank so as to cause a fire, explosion or release.
- b. Materials must not be placed in a tank if they could cause rupture, leakage, corrosion or failure of the tank or its inner liner.
- c. Uncovered tanks must be operated with at least 60 cm (2 feet) of freeboard or secondary containment unless equipped with a containment, drainage or diversion structure that will hold that volume of waste.
- d. For waste continuously fed into a tank; the tank must be equipped with a waste feed cutoff or bypass system.

- e. Once a day, the generator must inspect location of present discharge control equipment, waste feed cutoff system, data gathering from monitoring equipment, and the level of waste in the tanks, to ensure compliance with the freeboard requirement.
- f. Weekly, the generator must further inspect the tank material, and the surrounding area for corrosion or release.
- g. Upon closure of the facility, all hazardous waste must be removed from the tank, discharge control equipment and discharge confinement structures.
- h. Ignitable and reactive waste shall not be placed in a tank unless
 - 1) the waste is mixed prior to or immediately following placement in the tank to render the waste non-ignitable or non-reactive;
 - 2) the waste is protected from any material or conditions that may cause the waste to ignite or react; or
 - 3) the tank is used solely for emergencies.
- i. Ignitables or reactives stored in covered tanks must comply with the buffer zone requirements of the National Fire Protection Association's "Flammable and Combustible Liquids Code."
- j. Hazardous waste must not be placed in an unwashed tank that previously held an incompatible waste.

#10. Requirements for Labeling and Dating Containers during accumulation on-site. R 299.9306(4)(c) and (d); 40 CFR 262.34

- a. The date upon which each period of accumulation begins is clearly marked and visible for inspection.
- b. All containers are labeled and clearly marked with the words "Hazardous Waste" and the hazardous waste number.

Satellite Rule - near any point of generation of a facility's waste, a facility may accumulate up to 55 gallons of hazardous waste, or one quart of acutely hazardous waste. This can be more than one container as long as the total volume does not exceed 55 gallons or one quart. The container(s) must be under the control of the operator of the process. In addition, the container(s) must be labeled with the words "Hazardous Waste" and the hazardous waste number. After 55 gallons of waste has been accumulated, the container(s) must be dated and moved to an accumulation area within three days.

#12. Standards Set for "Preparedness and Prevention." R 299,9306(4)(e); 40 CFR 262.34(d)(4), 265 Subpart C

- a. The facility must be maintained and operated to minimize the possibility of fire, explosion or release of hazardous waste.
- b. The facility must be equipped with internal communication or alarm system for emergency instructions to the facility's personnel. The facility must have devices such as telephones, two-way radios capable of summoning emergency assistance from local police, fire and emergency response teams. The facility must have potable fire extinguisher's, fire control equipment, including special extinguishing equipment, spill control equipment and decontamination equipment. The facility must have water at adequate volume to supply hoses, foam producing equipment, automatic sprinklers or water spray systems.
- c. The emergency equipment must be tested and maintained by the facility.
- d. Persons handling hazardous waste must have immediate access to either an internal or external alarm or communication equipment.
- e. The facility must maintain sufficient aisle space to allow movement of people and equipment.

- f. The owner or operator must make arrangements with local police, fire, state emergency response teams and hospitals. Arrangements consist of sending a diagram or discussing the layout of the facility, access roads, evacuation routes, and submitting to local hospitals the possible types of injuries or illnesses resulting from hazardous waste on-site. If state or local authorities decline the agreement, the owner or operator must document that refusal.

#13. Standards for the “Contingency Plan.” R 299.9306(4)(f)-(l); 40 CFR 262.34(d)(5)

- a. At all times there must be one employee who is on-site or on call with the responsibility for coordinating all emergency response. This employee is the emergency coordinator.
- b. The generator must post the following information next to the phone:
 - 1. Name and phone number of the emergency coordinator.
 - 2. The location of the fire extinguisher's and spill control material, fire alarm, P.A. system, etc.
 - 3. The telephone number of the fire department unless the facility has a direct alarm.
- c. The generator must ensure that all employees are familiar with proper waste handling and emergency procedures relevant to their responsibilities during the facility's operations and emergencies.
- d. If there is a fire, explosion, or other release of hazardous waste or hazardous waste constituents that could threaten human health or the environment, or if the generator has knowledge that a spill has reached surface water or groundwater, then the generator shall immediately notify the department's pollution emergency alerting system - telephone number 800-292-4706. The notification shall include all of the following information:
 - 1. The name and telephone number of the person who is reporting the incident.
 - 2. The name, address, telephone number, and EPA identification number of the generator.
 - 3. The date, time, and type of incident.
 - 4. The name and quantity of the material or materials involved and released.
 - 5. The extent of injuries if any.
 - 6. The estimated quantity and disposition of recovered materials that resulted from the incident, if any.
 - 7. An assessment of actual or potential hazards to human health or the environment.
 - 8. The immediate response action taken.

#14. Exception Reporting Requirements. R 299.9308(5); 40 CFR 262.42(b), 262.44

- a. If a copy of a manifest with the handwritten signature of the owner or operator of the designated TSD facility is not received within 60 days of the date the waste was sent off-site, the following must be submitted to the Michigan Department of Environmental Quality - Waste Management Division:
 - 1. A legible copy of the manifest.
 - 2. An indication that the generator has not received confirmation of delivery.

(1/2/98: doc/y/small quantity generator requirements rest of new.doc: EAB)

This document was prepared on January 2, 1998. Be advised that subsequent law, rule and other information may change the applicability of this document. This document is a summarization of state and federal rules and regulations and is not to be used as a substitution for the actual regulations. This document is not intended to convey any rights to any parties nor create any duties or responsibilities under law. This document and matters addressed herein are subject to revision.

The Michigan Department of Environmental Quality (MDEQ) will not discriminate against any individual or group on the basis of race, sex, religion, age, national origin, color, marital status, disability or political beliefs. Questions or concerns should be directed to the MDEQ Office of Personnel Services, PO Box 30473, Lansing, MI 48909.